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8 Attorneys for DEFENDANT eBay, INC.

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 MICHELE MAZUR, On Behalf of Herself
13 and all Others Similarly Situated,

14 Plaintiff,

15 v.

16 EBAY, INC., HOT JEWELRY
AUCTIONS.COM d/b/a JEWELRY
17 OVERSTOCK AUCTIONS, HOT
JEWELRY AUCTIONS.COM d/b/a
18 PARAMOUNT AUCTIONS, and DOES 1-
100, inclusive,

19 Defendants.
20

Case No. C07 3967 MHP

**[PROPOSED] ORDER GRANTING MOTION
TO DISMISS COMPLAINT PURSUANT TO
FED. R. CIV. PROC. 12(B)(6)**

Date: December 10, 2007
Time: 2:00 p.m.
Judge: Hon. Marilyn H. Patel
Trial Date: Not yet set

21 The motion of defendant eBay Inc. to dismiss the complaint pursuant to Federal Rules of
22 Civil Procedure 12(B)(6) came on for hearing before this court on December 10, 2007. After
23 consideration of the briefs filed in connection with this motion, the arguments of counsel, and all
24 other matters presented to the Court, IT IS HEREBY ORDERED THAT defendant's motion to
25 dismiss with prejudice is granted.
26

27 Dated:

28 Hon. Marilyn H. Patel
United States District Judge